
PROGRAM NARRATIVE

180 JUDICIAL BRANCH

Date: 12/13/2006

Time: 11:40:52

Program: SUPREME COURT	Reporting Level: 00-180-181-00-00-00-00000000
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PROGRAM PERFORMANCE MEASURES

A Supreme Court Docket System (SCDS) is used to provide management information for Supreme Court cases.

PROGRAM STATISTICAL DATA

Increased filings and change impacted the North Dakota Supreme Court's workload in 2005. In March, Justice William Neumann resigned from the Court. In April, Justice Daniel Crothers was appointed to the Court by Governor John Hoeven. Justice Crothers assumed his place on the Court in July and will serve two years before he will run for election

Even though appeals of drug-related offenses decreased last year, the prior trend of increasing numbers of drug-related appeals continues. In 2005, appeals of drug-related offenses increased 160% and comprised in 37% of the new criminal filings caseload. While appeals of post-conviction relief proceedings are civil in nature, and are reflected in civil filings, many of them involve underlying drug offenses. Appeals arising from these matters increased 176%. In the criminal area, there were also significant increases in appeals of driving under the influence, sexual crimes, theft and other felony convictions.

Appeals in family related cases accounted for 27% of the civil caseload in 2005, which is a slightly higher percentage than last year. The number of administrative agency appeals decreased, comprising 8% of the civil caseload. Appeals in corporations, debtor/creditor, attorney discipline, mental health, real property and tort proceedings also increased more than other civil case filings.

The Justices each authored an average of 44 majority opinions, with 33 separate concurrences and/or dissents. Oral arguments were scheduled in 229 cases, with approximately 18% of those arguments being waived by the court or submitted on the briefs by the parties.

The most appeals originated from the South Central Judicial District, followed by the East Central, Southeast, Northeast Central, Northeast, Northwest, and Southwest Districts.

In addition to preparing for and attending oral arguments, and researching and writing decisions, the Justices attend weekly motions conferences to consider case related motions the Chief Justice or the Clerk of the Supreme Court do not act on. There were 773 motions filed in 2005, the Clerk acted on 46% of those under the authority of North Dakota Supreme Court Administrative Rule 5 and the Chief Justice.

The Court continued hearing cases "on the road" in Beulah and Garrison, and at the University of North Dakota School of Law, and looks forward to meeting more students in 2006.

EXPLANATION OF PROGRAM COSTS

The requested funds are necessary for the operations of the Supreme Court.

PROGRAM GOALS AND OBJECTIVES

The Supreme Court is the highest court of the state. It has general supervisory and administrative authority over all other courts. This authority covers all judges of every court in the state and all officers serving the courts.

REQUEST DETAIL BY PROGRAM**180 JUDICIAL BRANCH****Biennium: 2007-2009****Bill#: HB1002****Date: 12/13/2006****Time: 11:40:52**

Program: SUPREME COURT		Reporting Level: 00-180-181-00-00-00-00000000			
Description	Expenditures 2003-2005 Biennium	Present Budget 2005-2007	Budget Request Change	Requested Budget 2007-2009 Biennium	Optional Request 2007-2009
SALARIES AND WAGES					
SALARIES - PERMANENT	4,430,320	4,917,905	171,540	5,089,445	0
TEMPORARY SALARIES	18,483	55,344	-25,344	30,000	0
FRINGE BENEFITS	1,349,813	1,549,662	33,317	1,582,979	0
TOTAL	5,798,616	6,522,911	179,513	6,702,424	0
SALARIES AND WAGES					
GENERAL FUND	5,798,616	6,522,911	179,513	6,702,424	0
FEDERAL FUNDS	0	0	0	0	0
SPECIAL FUNDS	0	0	0	0	0
TOTAL	5,798,616	6,522,911	179,513	6,702,424	0
OPERATING EXPENSES					
TRAVEL	118,825	181,832	19,644	201,476	0
SUPPLIES - IT SOFTWARE	18,032	26,775	-2,038	24,737	0
SUPPLY/MATERIAL-PROFESSIONAL	463,308	729,417	154,644	884,061	0
FOOD AND CLOTHING	0	0	0	0	0
BLDG, GROUND, MAINTENANCE	2,379	0	0	0	0
MISCELLANEOUS SUPPLIES	4,226	11,000	7,000	18,000	0
OFFICE SUPPLIES	31,050	45,820	-82	45,738	0
POSTAGE	52,636	61,520	-1	61,519	0
PRINTING	31,149	41,836	34,220	76,056	0
IT EQUIP UNDER \$5,000	30,076	29,120	10,816	39,936	0
OTHER EQUIP UNDER \$5,000	1,698	0	0	0	0
OFFICE EQUIP & FURN SUPPLIES	20,526	33,461	-23,461	10,000	0
INSURANCE	18,559	15,246	-1,246	14,000	0
RENTALS/LEASES-EQUIP & OTHER	1,169	4,200	1,000	5,200	0
RENTALS/LEASES - BLDG/LAND	2,601	0	0	0	0
REPAIRS	35,274	35,196	8,568	43,764	0
IT - DATA PROCESSING	73,395	89,122	18,738	107,860	0
IT-COMMUNICATIONS	43,128	52,839	7,741	60,580	0
IT CONTRACTUAL SERVICES AND RE	68,450	79,197	-19,887	59,310	0
PROFESSIONAL DEVELOPMENT	221,897	251,263	36,810	288,073	0
OPERATING FEES AND SERVICES	15,603	91,400	-36,300	55,100	0
FEES - PROFESSIONAL SERVICES	52,191	145,517	8,258	153,775	0
MISCELLANEOUS EXPENSES	0	0	0	0	0
TOTAL	1,306,172	1,924,761	224,424	2,149,185	0

REQUEST DETAIL BY PROGRAM**180 JUDICIAL BRANCH****Biennium: 2007-2009****Bill#: HB1002****Date: 12/13/2006****Time: 11:40:52**

Program: SUPREME COURT		Reporting Level: 00-180-181-00-00-00-00000000			
Description	Expenditures 2003-2005 Biennium	Present Budget 2005-2007	Budget Request Change	Requested Budget 2007-2009 Biennium	Optional Request 2007-2009

OPERATING EXPENSES

GENERAL FUND	1,306,172	1,924,761	224,424	2,149,185	0
FEDERAL FUNDS	0	0	0	0	0
SPECIAL FUNDS	0	0	0	0	0
TOTAL	1,306,172	1,924,761	224,424	2,149,185	0

CAPITAL ASSETS

EQUIPMENT OVER \$5000	0	0	96,000	96,000	0
IT EQUIPMENT OVER \$5000	0	8,000	-8,000	0	0
TOTAL	0	8,000	88,000	96,000	0

CAPITAL ASSETS

GENERAL FUND	0	8,000	88,000	96,000	0
FEDERAL FUNDS	0	0	0	0	0
SPECIAL FUNDS	0	0	0	0	0
TOTAL	0	8,000	88,000	96,000	0

SPECIAL LINES

SUPREME COURT- JUDGES RETIREMENT	124,066	134,931	-12,700	122,231	0
TOTAL	124,066	134,931	-12,700	122,231	0

SPECIAL LINES

GENERAL FUND	124,066	134,931	-12,700	122,231	0
FEDERAL FUNDS	0	0	0	0	0
SPECIAL FUNDS	0	0	0	0	0
TOTAL	124,066	134,931	-12,700	122,231	0

PROGRAM FUNDING SOURCES

SPECIAL FUNDS	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0
GENERAL FUND	7,228,854	8,590,603	479,237	9,069,840	0
PROGRAM FUNDING TOTAL	7,228,854	8,590,603	479,237	9,069,840	0

FTE EMPLOYEES	44.50	44.50	.50	45.00	.00
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REQUEST DETAIL BY PROGRAM

180 JUDICIAL BRANCH
Biennium: 2007-2009

Bill#: HB1002

Date: 12/13/2006
Time: 11:40:52

Program: SUPREME COURT		Reporting Level: 00-180-181-00-00-00-00-00000000			
Description	Expenditures 2003-2005 Biennium	Present Budget 2005-2007	Budget Request Change	Requested Budget 2007-2009 Biennium	Optional Request 2007-2009

FUNDING DETAIL

GENERAL FUND

7,228,854	8,590,603	479,237	9,069,840	0
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SPECIAL FUNDS

295 Electronic Filing Admin. 295

0	0	0	0	0
0	0	0	0	0

TOTAL

CHANGE PACKAGE DETAIL**180 JUDICIAL BRANCH****Biennium: 2007-2009****Bill#: HB1002****Date: 12/13/2006****Time: 11:40:52**

PROGRAM: SUPREME COURT	REPORTING LEVEL: 00-180-181-00-00-00-00-00000000				
Description	FTE	General Fund	Federal Funds	Special Funds	Total Funds

AGENCY BUDGET CHANGES

Cost To Continue	.50	158,813	0	0	158,813
3 Salaries and Benefits	.00	16,000	0	0	16,000
4 Capital Assets	.00	80,000	0	0	80,000
5 General Funds	.00	224,424	0	0	224,424
8 Old Judges Retirement System	.00	0	0	0	0
Agency Total	.50	479,237	0	0	479,237

PROGRAM NARRATIVE

180 JUDICIAL BRANCH

Date: 12/13/2006

Time: 11:40:52

Program: DISTRICT COURT	Reporting Level: 00-180-182-00-00-00-00000000
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PROGRAM PERFORMANCE MEASURES

A Unified Court Information System (UCIS), Juvenile Case Management System (JCMS) and a Jury Management System are all information systems which provide information for managing district court operations.

The judiciary is constantly monitoring its performance regarding delivering judicial services. Some of these performance measures include:

- Civil, criminal and juvenile docket currency standards
- Jury yield and juror utilization statistics
- Staffing standards
- FACES (child support software) action alerts
- Case data entry time standards

PROGRAM STATISTICAL DATA

District court filings decreased slightly in 2005, showing a 3.30% decrease over 2004 filings.

Civil filings were up 1.89% from 2004 and small claims filings decreased 8.42%. Criminal filings reflect a decrease of 1.32% from 2004 levels. Formal juvenile filings show a 1.73% decrease.

EXPLANATION OF PROGRAM COSTS

The requested funds are necessary for the operation of the district courts.

PROGRAM GOALS AND OBJECTIVES

The district court is a trial court where cases are heard for the first time. There are seven judicial districts, and they have original jurisdiction in all cases, both civil and criminal. The district courts also have original jurisdiction over juvenile matters. The district courts also hear appeals and transfer cases from the municipal courts.

REQUEST DETAIL BY PROGRAM**180 JUDICIAL BRANCH****Biennium: 2007-2009****Bill#: HB1002****Date: 12/13/2006****Time: 11:40:52**

Program: DISTRICT COURT		Reporting Level: 00-180-182-00-00-00-00000000			
Description	Expenditures 2003-2005 Biennium	Present Budget 2005-2007	Budget Request Change	Requested Budget 2007-2009 Biennium	Optional Request 2007-2009
SALARIES AND WAGES					
SALARIES - PERMANENT	24,503,490	27,436,390	2,521,622	29,958,012	0
TEMPORARY SALARIES	263,107	187,221	7,778	194,999	0
FRINGE BENEFITS	8,195,342	9,328,677	563,902	9,892,579	0
TOTAL	32,961,939	36,952,288	3,093,302	40,045,590	0
SALARIES AND WAGES					
GENERAL FUND	32,177,804	36,247,021	2,968,598	39,215,619	0
FEDERAL FUNDS	766,244	705,267	124,704	829,971	0
SPECIAL FUNDS	17,891	0	0	0	0
TOTAL	32,961,939	36,952,288	3,093,302	40,045,590	0
OPERATING EXPENSES					
TRAVEL	752,961	1,008,956	143,701	1,152,657	0
SUPPLIES - IT SOFTWARE	434,430	171,375	118,610	289,985	0
SUPPLY/MATERIAL-PROFESSIONAL	433,740	555,526	1,949	557,475	0
FOOD AND CLOTHING	5,311	8,950	-300	8,650	0
MISCELLANEOUS SUPPLIES	102,366	242,123	25,710	267,833	0
OFFICE SUPPLIES	252,090	285,625	6,705	292,330	0
POSTAGE	326,812	375,185	102,000	477,185	0
PRINTING	147,495	187,453	34,347	221,800	0
IT EQUIP UNDER \$5,000	179,976	410,130	226,746	636,876	0
OTHER EQUIP UNDER \$5,000	3,459	0	0	0	0
OFFICE EQUIP & FURN SUPPLIES	85,138	150,965	112,935	263,900	0
INSURANCE	68,520	40,472	-1,816	38,656	0
RENTALS/LEASES-EQUIP & OTHER	5,553	17,250	2,750	20,000	0
RENTALS/LEASES - BLDG/LAND	3,180	8,950	-2,500	6,450	0
REPAIRS	133,398	158,400	8,750	167,150	0
IT - DATA PROCESSING	470,274	451,828	357,059	808,887	0
IT-COMMUNICATIONS	274,254	391,405	-1,441	389,964	0
IT CONTRACTUAL SERVICES AND RE	429,041	821,012	1,106,332	1,927,344	0
PROFESSIONAL DEVELOPMENT	235,685	351,442	-12,925	338,517	0
OPERATING FEES AND SERVICES	4,607,652	5,194,504	1,177,905	6,372,409	0
FEES - PROFESSIONAL SERVICES	289,588	326,963	21,600	348,563	0
MEDICAL, DENTAL AND OPTICAL	40,795	64,141	-15,341	48,800	0
MISCELLANEOUS EXPENSES	95,054	0	0	0	0
TOTAL	9,376,772	11,222,655	3,412,776	14,635,431	0

REQUEST DETAIL BY PROGRAM**180 JUDICIAL BRANCH****Biennium: 2007-2009****Bill#: HB1002****Date: 12/13/2006****Time: 11:40:52**

Program: DISTRICT COURT		Reporting Level: 00-180-182-00-00-00-00000000			
Description	Expenditures 2003-2005 Biennium	Present Budget 2005-2007	Budget Request Change	Requested Budget 2007-2009 Biennium	Optional Request 2007-2009

OPERATING EXPENSES

GENERAL FUND	8,063,555	10,707,965	2,922,246	13,630,211	0
FEDERAL FUNDS	788,109	514,690	490,530	1,005,220	0
SPECIAL FUNDS	525,108	0	0	0	0
TOTAL	9,376,772	11,222,655	3,412,776	14,635,431	0

CAPITAL ASSETS

EQUIPMENT OVER \$5000	253,306	172,500	165,042	337,542	0
IT EQUIPMENT OVER \$5000	193,019	13,000	108,041	121,041	0
TOTAL	446,325	185,500	273,083	458,583	0

CAPITAL ASSETS

GENERAL FUND	446,325	185,500	273,083	458,583	0
FEDERAL FUNDS	0	0	0	0	0
SPECIAL FUNDS	0	0	0	0	0
TOTAL	446,325	185,500	273,083	458,583	0

SPECIAL LINES

ALTERNATIVE DISPUTE RESOLUTION	13,253	20,000	0	20,000	0
DISTRICT COURT- JUDGES RETIREMENT	670,892	706,771	-2,952	703,819	0
MEDIATION	0	0	1,020,200	1,020,200	0
UND-CENTRAL LEGAL RESEARCH	80,000	80,000	0	80,000	0
TOTAL	764,145	806,771	1,017,248	1,824,019	0

SPECIAL LINES

GENERAL FUND	764,145	806,771	1,017,248	1,824,019	0
FEDERAL FUNDS	0	0	0	0	0
SPECIAL FUNDS	0	0	0	0	0
TOTAL	764,145	806,771	1,017,248	1,824,019	0

PROGRAM FUNDING SOURCES

GENERAL FUND	41,451,829	47,947,257	7,181,175	55,128,432	0
FEDERAL FUNDS	1,554,353	1,219,957	615,234	1,835,191	0
SPECIAL FUNDS	542,999	0	0	0	0
PROGRAM FUNDING TOTAL	43,549,181	49,167,214	7,796,409	56,963,623	0

REQUEST DETAIL BY PROGRAM**180 JUDICIAL BRANCH****Biennium: 2007-2009****Bill#: HB1002****Date: 12/13/2006****Time: 11:40:52**

Program: DISTRICT COURT		Reporting Level: 00-180-182-00-00-00-00000000			
Description	Expenditures 2003-2005 Biennium	Present Budget 2005-2007	Budget Request Change	Requested Budget 2007-2009 Biennium	Optional Request 2007-2009

FTE EMPLOYEES**287.50****283.50****10.50****294.00****.00****FUNDING DETAIL****GENERAL FUND****41,451,829****47,947,257****7,181,175****55,128,432****0****FEDERAL FUNDS**

G066 Child Support

876,559

944,861

103,130

1,047,991

0

G135 Parental Rights Termination

21,490

0

0

0

0

G137 Juv. Drug Court-JAIBG

123,854

0

0

0

0

G154 Stop Grant-NEC Family Court Pilot

84,873

0

0

0

0

G155 Stop Grant Domestic Violence Bench.

3,258

0

0

0

0

G158 Court Improvement Project-Foster

39,042

104,000

483,118

587,118

0

G159 Alternatives to Detention-Byrne

29,176

0

0

0

0

G164 Juvenile Drug Crt-Underage Drinking

42,619

132,437

67,645

200,082

0

G170 OJP-Juvenile Drug Crt. Implement.

91,641

38,659

-38,659

0

0

G175 Court Improvement Foster Care

105,142

0

0

0

0

G183 Juvenile Drug Court Underage Drink

77,134

0

0

0

0

G184 OJP Juvenile Drug Crt. Implement

4,539

0

0

0

0

G188 Court Improvement Foster Care

42,894

0

0

0

0

G191 Underage Juvenile Drug Court

12,132

0

0

0

0

TOTAL**1,554,353****1,219,957****615,234****1,835,191****0****SPECIAL FUNDS**

003 SPECIAL FUND BUDGET

0

0

0

0

0

279 Court Facilities Improvement 279

94,055

0

0

0

0

312 STATE COURTS FUND 312

448,944

0

0

0

0

TOTAL**542,999****0****0****0****0**

CHANGE PACKAGE DETAIL**180 JUDICIAL BRANCH****Biennium: 2007-2009****Bill#: HB1002****Date: 12/13/2006****Time: 11:40:52**

PROGRAM: DISTRICT COURT	REPORTING LEVEL: 00-180-182-00-00-00-00-00000000				
Description	FTE	General Fund	Federal Funds	Special Funds	Total Funds

AGENCY BUDGET CHANGES

Cost To Continue	10.50	3,532,390	124,704	0	3,657,094
4 Capital Assets	.00	458,583	0	0	458,583
5 General Funds	.00	2,922,246	0	0	2,922,246
6 Federal Funds	.00	0	490,530	0	490,530
10 Mediation Pilot Project	.00	267,956	0	0	267,956
Agency Total	10.50	7,181,175	615,234	0	7,796,409

PROGRAM NARRATIVE

180 JUDICIAL BRANCH

Date: 12/13/2006

Time: 11:40:52

Program: JUDICIAL COND COMM AND DISC. BOARD	Reporting Level: 00-180-183-00-00-00-00000000
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PROGRAM PERFORMANCE MEASURES

The Disciplinary System does not use any formal performance measures.

PROGRAM STATISTICAL DATA

The Disciplinary Board System provides information to assist with tracking disciplinary measures against attorneys. Statistics are also maintained to track complaints and disciplinary measures against judges. In 2005 there were 222 new complaints filed against attorneys and 61 new complaints against judges. This compares to 247 complaints against attorneys and 60 complaints against judges in 2004. Action was taken on 205 complaints against attorneys and 61 complaints against judges in 2005.

EXPLANATION OF PROGRAM COSTS

The requested funds are necessary for the operations of the Judicial Conduct Commission and the Disciplinary Board.

PROGRAM GOALS AND OBJECTIVES

The Judicial Conduct Commission and Disciplinary Board investigate and address complaints against judges and attorneys.

REQUEST DETAIL BY PROGRAM**180 JUDICIAL BRANCH****Biennium: 2007-2009****Bill#: HB1002****Date: 12/13/2006****Time: 11:40:52**

Program: JUDICIAL COND COMM AND DISC. BOARD		Reporting Level: 00-180-183-00-00-00-00000000			
Description	Expenditures 2003-2005 Biennium	Present Budget 2005-2007	Budget Request Change	Requested Budget 2007-2009 Biennium	Optional Request 2007-2009

SPECIAL LINES

JUDICIAL CONDUCT COMM & DISCIPLINARY BRD

498,575	607,530	71,008	678,538	0
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TOTAL

498,575	607,530	71,008	678,538	0
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SPECIAL LINES

GENERAL FUND

246,186	320,009	63,779	383,788	0
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FEDERAL FUNDS

0	0	0	0	0
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SPECIAL FUNDS

252,389	287,521	7,229	294,750	0
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TOTAL

498,575	607,530	71,008	678,538	0
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PROGRAM FUNDING SOURCES

GENERAL FUND

246,186	320,009	63,779	383,788	0
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SPECIAL FUNDS

252,389	287,521	7,229	294,750	0
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FEDERAL FUNDS

0	0	0	0	0
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PROGRAM FUNDING TOTAL

498,575	607,530	71,008	678,538	0
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FTE EMPLOYEES

4.00	4.00	.00	4.00	.00
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FUNDING DETAIL**GENERAL FUND**

246,186	320,009	63,779	383,788	0
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SPECIAL FUNDS

328 JUDICIAL CONDUCT COMM. FUND 328

252,389	287,521	7,229	294,750	0
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TOTAL

252,389	287,521	7,229	294,750	0
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CHANGE PACKAGE DETAIL**180 JUDICIAL BRANCH****Biennium: 2007-2009****Bill#: HB1002****Date: 12/13/2006****Time: 11:40:52**

PROGRAM: JUDICIAL COND COMM AND DISC. BOARD		REPORTING LEVEL: 00-180-183-00-00-00-00-00000000			
Description	FTE	General Fund	Federal Funds	Special Funds	Total Funds

AGENCY BUDGET CHANGES

Cost To Continue	.00	43,246	0	-115	43,131
5 General Funds	.00	20,533	0	0	20,533
7 Special Funds	.00	0	0	7,344	7,344
Agency Total	.00	63,779	0	7,229	71,008